

REMARKS

This Amendment is in response to the Office Action dated July 21, 2005. With this Amendment, each of the independent claims 1, 8, 15, 21, 22, 24, 28, and 29 are amended to include that the guest selected recording is done at a lodging facility. This addresses the rejection of claims 1-29 in the Office Action as anticipated under 35 U.S.C. § 102(e) by the Ellis et al. US2003/0149988. Claims 1-29 are presented for reconsideration and allowance.

The present invention is an improved entertainment system for use in a lodging facility that allows guest selected recording of television programs and time-shifted viewing of programs that have been recorded, including payment options for those services. This feature is an addition to the other features commonly found in entertainment systems in hotels and other lodging facilities, such as regular off air television programs, pay-per-view movies, Internet access, video games, and video checkout. As discussed in the Background of the Invention on pages 1 and 2 of the specification, operating lodging entertainment systems on a profitable basis is very challenging. Typically the lodging entertainment system is owned by a vendor who provides the capital equipment, such as the head end equipment and the guest terminals, (including the television, remote control, game controller, keyboard, and associated control circuitry). The hotel receives a percentage of the guest charges for those features of the lodging entertainment system having separate charges (such as movies and games). The motion picture studios and the game program vendors also receive royalties.

In many cases, a guest at a hotel may not purchase any services offered through the entertainment system. It is a continuing challenge to find new and improved offerings which result in higher purchase rates through the lodging entertainment system. A service that is difficult to use or causes frustration for the guest will not be successful.

The present invention adds to the lodging entertainment system the capabilities of guest-selected recording of programs and guest-selected time-shifted viewing of programs, and automated billing relating to those services. It also addresses an important practical consideration--the ease with which the

guest can learn and use the system to both record and later to view programs of interest and have the item billed to the account of the guest. The present invention, as defined in claims 1-29, makes use of an interactive program guide or schedule that lists (a) programs available for viewing and recording, as well as (b) previously recorded programs that are available for time-shifted viewing. This is shown in FIG. 3 of the application. Interactive Program Guide 200 contains a listing of various types of programs. This includes free to guest channels 210, pay-per-view movie offerings 230, the specific guest's recorded programs 250, and recorded programs 260 selected for recording by other guests. Using the program guide, the guest can make a selection from any of these categories. The program guide can be used for both selecting programs for recording, as well as selecting programs for viewing. The program guide is tied to a property management system that will add a charge to the account of the guest making certain selections from the program guide.

An important consideration is how easy the guest will find the system to use and navigate. Unlike a home entertainment system, where the owner has the opportunity to learn the intricacies of system over time, a lodging entertainment system must be extremely intuitive and simple so that a guest with no previous experience with the system can use it. Since the guests range from those with a great deal of computer experience to those with little familiarity with computer-based systems, the user interface at the guest terminal of a lodging entertainment system cannot be designed based on the assumption the guest will be a sophisticated computer user.

By providing a schedule or program guide that lists both programs to be viewed and recorded as well as previously recorded programs available for time-shifted viewing, the interface with the guest is made more simple and easy to use. Billing is done automatically without requiring additional input from the guest, which also simplifies the use of the system.

Equally important, the schedule or program guide increases the chances that the guest will be reminded of a previously recorded program. This is particularly important when the guest is charged for recording a program. If the guest records a program but then forgets to view it, the charge for recording

the unwatched program is likely to be a source of either a billing dispute and adjustment, or a source of dissatisfaction of the guest with either the hotel or the entertainment system vendor, or both.

The Examiner states on page 2 of the Office Action that “Ellis discloses ‘a method of guest-selected recording of television programs in an entertainment system (see Figs 2a-2d)’ and ‘transmitting, from the head end to a guest terminal, ...see 0064, 0125-0126 and 0156).’” Ellis et al does disclose an entertainment system with an interactive television program guide. However, applicant respectfully submits that the Ellis et al. disclosure related to “users” to the interactive television program guide disclosure is related to home use. Applicant, in selecting the term “guest”, used throughout the claims, is relating the current invention to the lodging industry.

The lodging industry and media systems provided therein are different than those related to “users” which is for a home use as detailed above. A user service is based on a user having a permanent account related to a single address. The model is based upon an assumed steady stream of income which can be amortized to justify the cost related to the necessary hardware (including a set top box that generates the program guide).

In contrast, the lodging industry is based on a short term or over night stays from guests, which pay for the short term services. The services provided, include room, room service, telephone charges as well as entertainment system charges, are billed to the guest upon checkout of the facility. The services are billed in relation to a guest checking in and checking out of the lodging facility. In providing the present media system with its ease of use, a lodging facility adds to its appeal to attract customers. The ease of use of the media system encourages guest use, which adds to the revenues of the lodging facility. In order to further clarify this, applicant has amended claims to include specifically the term “lodging facility” in independent claims 1, 8, 15, 21, 22, 24, 28, and 29.

Ellis et al. discloses that the interactive television program guide is run on user television equipment or partially on user television equipment and partially on interactive program guide distribution equipment. See e.g., paragraph 0062, and paragraph 0099. The system is based upon a client-server

relationship for the system. The system requires that the client, for example set top box 28, television 36, television equipment 22, or interactive program guide television equipment 17, all require separate distinct processing circuitry and memory. See paragraph 0099. Each user has access to equipment which generates the program guide. Absent such, the server would be required to be large enough to cover all subscribers or users, which could be in the millions. Due to this type of system, Ellis does not disclose or contemplate a guide running at the head end of a distribution system.

In the present application, the distribution of the interactive program guide is done through distribution from head end equipment. Generating the program guide and all associated functions that require circuitry are done at the head end. The guide itself does not run in any room or on any user equipment. Rather, it is run at the head end, which distributes it through a direct connection to the guest's television equipment. The head end system eliminates the need for guest terminal processing to generate a program guide, which is very important in reducing the cost of the overall system. The system does not need hard drives, television system boxes, or similar associated hardware at the guest terminal as required by Ellis et al. The system of the invention runs all functions at the head end. See e.g., FIG. 1, and application page 10, lines 5-11, page 11, lines 2-4, and page 13, line 10-12.

In the current invention, UHC 20 coordinates the operation of the head end 12. UHC 20 monitors keystroke activity at the guest terminals. Any activity, including the generation of an updated program guide which includes recording requests, recorded programs, or other information is done at the head end. When a user accesses the system through the guest terminal, the information generated by the head end is again sent to the guest terminal.

The head end distribution system thus greatly reduces costs associated by eliminating processor circuitry at each individual guest terminal. This is especially important in the lodging industry as a lodging facility typically contain hundreds of guest terminals. The amended independent claims 1, 8, 15, 21, 22, 24, 28, and 29 each clarify that the to guest terminals in guest rooms, the head end, and the distribution system are located at a lodging facility.

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Based on the amendments to the claims, the rejection of claims 1-29 has been overcome and should be withdrawn. The present application is now in condition for allowance. Notice to that effect is requested.

Respectfully submitted,

KINNEY & LANGE, P.A.

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